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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,285	02/11/2000	Sheldon F. Goldberg	3367-2-2	4950

22442 7590 07/02/2007
SHERIDAN ROSS PC
1560 BROADWAY
SUITE 1200
DENVER, CO 80202

EXAMINER

MOSSER, ROBERT E

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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07/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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In re Application of:
GOLDBERG, SHELDON F. et al
Serial No. 09/502,285
Filed: Feb. 11, 2000
Docket: 3367-2-2

Title: **NETWORKED SYSTEM FOR
PRESENTING**

DECISION ON PETITION
UNDER 37 CFR § 1.181

This is a decision on the petition filed August 18, 2006 requesting withdrawal of the holding of abandonment. This petition is being considered pursuant to 37 CFR § 1.181. No fees are required.

The petition is **Granted**.

Background

On June 28, 2004 the examiner issued a Notice of Allowance for the present application and the issue fee was paid on September 2, 2004. On February 17, 2005 the petitioner filed a Request to Amend Title of Application. The petitioner previously requested a change of title in the Amendment and Response filed on May 8, 2002. A copy of this Amendment and Response was included in the February 17, 2005 filing. A Petition to Withdraw Application from Issue was filed on February 23, 2005 along with a Request for Continued Examination to permit the consideration of new references provided in an Information Disclosure Statement. A notice granting the petition to withdraw the application from issue for consideration of the request for continued examination was mailed to the petitioner on March 2, 2005.

On July 14, 2005 the examiner issued an Office Communication detailing the failures of the petitioner's February 17, 2005 request to amend the title of the application. These failures included excessive facsimile distortion, failure to present amendments on separate sheets of paper to allow for proper indexing, as well as failure to indicate the changes to the claims through mark-up form. The petitioner was given thirty days to submit a complete reply to the Office Communication. On July 22, 2005 the petitioner mailed a hardcopy of the Request to Amend Title of Application to the USPTO. On May 18, 2006 the examiner issued a Notice of Abandonment for failure to timely file a proper reply to the Office Communication dated July 14, 2005. The petitioner subsequently filed a Petition to Withdraw Holding of Abandonment

under 37 CFR § 1.181, or in the alternative under 37 CFR § 137(a) or (b) on August 18, 2006. On December 01, 2006 the Office of Petitions issued a decision requesting the TC to address the petition.

Discussion

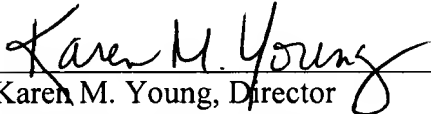
The examiner entered a Notice of Abandonment based on the applicant's failure to timely reply to the Office Communication mailed July 14, 2005. This Office Communication outlined the examiner's concerns with the Request to Amend Title of Application filed February 17, 2005. The petitioner addressed the examiner's concern regarding facsimile distortion by mailing a hardcopy of the request to the USPTO on July 22, 2005. The petitioner then addressed the examiner's remaining concerns regarding pagination and mark-up in the Amendment in Response to the Office Communication filed August 18, 2006. In this amendment, the petitioner entered the Request for Amendment to Title on a separate page and removed the materials to which the mark-up concerns were addressed. Through these two filings the petitioner properly handled the examiner's concerns. Additionally, it should be noted that the petitioner's request to amend the title of the application was in fact the second request for such an amendment, the first of which was filed before the Notice of Allowance. Therefore, a withdrawal of the holding of abandonment is granted.

Decision

The petition requesting withdrawal of the holding of abandonment is hereby granted. The examiner is directed to continue examination of the application, considering the additional references provided in the Information Disclosure Sheet as well as the Request for Amendment of Title. The application is being forwarded to Supervisory Patent Examiner of Art Unit 3714 for further processing.

Any inquiry regarding this decision should be directed to Henry C. Yuen, Special Programs Examiner, at (571) 272-4856 or Marc Jimenez, Training Quality Assurance Specialist, at (571)-272-4530.

PETITION GRANTED.



Karen M. Young, Director
Technology Center 3700